

USAWC STRATEGY RESEARCH PROJECT

THE STRATEGIC IMPLICATIONS  
OF HUMAN TRAFFICKING

by

Lieutenant Colonel Dwight D. Watkins  
United States Army

Dr. Douglas V. Johnson  
Project Advisor

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## ABSTRACT

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There is a problem known as human trafficking that could have a direct effect on America's national security. Human trafficking involves various forms of human enslavement for prostitution and other forms of exploitation, including false promises of jobs and marriage opportunities for outrageous fees. The history of human trafficking is long and varied, but reasons why humans are trafficked remain relatively constant. The numbers involved in trafficking, and the revenue generated each year are staggering. There are a number of initiatives and activities in recent years focusing on the fight against human trafficking, both at the bilateral and multilateral levels. It is well documented that monies generated through the illegal trafficking of humans finds its way into the hands of drug lords. We know that drug monies support terrorist activities around the world. Therefore, the revenue generated by trafficking of persons support terrorism on some level and thus, human trafficking directly threatens the National Security of the United States.



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## THE STRATEGIC IMPLICATIONS OF HUMAN TRAFFICKING

The United States must defend liberty and justice because these principles are right and true for all people everywhere . . . No people on earth yearn to be oppressed, aspire to servitude, or eagerly await the midnight knock of the secret police. America must stand firmly for the nonnegotiable demands of human dignity.

—President George Bush

In the *National Security Strategy of the United States of America*, September 2002, President Bush writes that the government is committed, first and foremost, to defending our Nation against its enemies. The war against terrorism expands across many nations. Part of the United States' strategy is to "work with our allies to disrupt the financing of terrorism. We will identify and block the sources of funding for terrorism."<sup>1</sup>

Human trafficking directly threatens the National Security Strategy of the United States to "champion aspirations for human dignity" and "strengthen alliances to defeat global terrorism and work to prevent attacks against us and our friends."<sup>2</sup> Revenue generated through the illegal trafficking of humans finds its way into the hands of drug lords and is used to finance terrorist activities worldwide.

### THE HISTORY OF HUMAN TRAFFICKING

What is human trafficking? The Oxford American College Dictionary defines trafficking as "the transportation of goods or passengers; the action of dealing or trading in something illegal."<sup>3</sup> Using this definition, human trafficking can be defined as the transportation of human beings as goods or the illegal dealing or trading of human beings.

A more extensive definition can be found in the Congressional Research Service (CRS) Report for Congress on "*Trafficking in Women and Children: The U.S. and International Response*."

The U.S. Government definition of trafficking in persons encompasses: "All acts involved in the transport, harboring, or sale of persons within national or across international borders through coercion, force, kidnapping, deception or fraud, for purposes of placing persons in situations of forced labor or services, such as forced prostitution, domestic servitude, debt bondage or other slavery-like practices." . . . In the case of minors, there is general agreement in the United States and much of the international community that the trafficking term applies whether a child was taken forcibly or voluntarily. Trafficking is distinguished from alien smuggling which involves the provision of a service, albeit illegal, to people who knowingly buy the service in order to get into a foreign country.<sup>4</sup>

## **BACKGROUND**

Trafficking in humans can be described as “modern-day slavery” and occurs in various forms including prostitution, forced marriages, domestic service, sweatshops, child labor, fighting in armies, factory workers, farm workers, and migrant workers. These modern-day forms of slavery affect many countries that serve as “source, transit, and destination countries where human beings are procured, transported, and enslaved through forced labor or forced sexual exploitation. Traffickers exploit the aspirations of those living in poverty and those seeking better lives.”<sup>6</sup>

### **The United States**

Based on estimates by the Department of State approximately 50,000 women and children are trafficked to the United States annually.

Most come from southeast Asia and the former Soviet Union. About half of those are forced into sweatshop labor and domestic servitude. The rest are forced into prostitution and the sex industry, or in the case of young children, kidnapped and sold for adoption. While many victims come willingly, they are not aware of the terms and conditions they will face. Women trafficked to the United States most often wind up in the larger cities in New York, Florida, North Carolina, California, and Hawaii. But the problem is also migrating to smaller cities and suburbs. Russian crime groups are said to be actively involved in trafficking and the sex industry in the United States.<sup>6</sup>

Mexico is responsible for a large number of children provided to American couples who are unwilling to use legal methods of adoption. Young Mexican children are kidnapped and trafficked for the purposes of adoption and prostitution.<sup>7</sup>

### **Bangladesh**

As one of the poorest countries in the world, Bangladesh is a prime source of individuals in jeopardy of falling prey to trafficking. Tens of thousands of women and children who have severely limited or nonexistent means of survival and are vulnerable to the false promises of work or marriage in another country are trafficked from Bangladesh to Pakistan, India, and other Middle East countries.

Approximately 2,400 to 4,800 women and children are annually trafficked into India. A considerable number of boys are sent to become camel jockeys in the United Arab Emirates and other Gulf states. As young as age four, many are stolen and others are obtained with their parents' permission, but only through the deceit and dishonesty of the trafficker.<sup>8</sup>



**Albania**

Poverty stricken communities, excessive unemployment, and the cultural inferiority of women are factors in the trafficking of girls and women from Albania to Belgium, France, Greece, Italy, and the United Kingdom. Beginning with the shift of the communist rule to democracy in the 1990s, human trafficking became a critical issue. Albania's economic and social structures were at risk. The criminal elements exploited this transitional period and used the country's geopolitical location for trafficking into Western Europe.<sup>9</sup>

**Russia**

The Russian economy was adversely affected by the downfall of the Soviet Union in 1991. The declining economy and the people's feelings of hopelessness and uncertainty opened the door for traffickers. They entice men and women, using fictitious employment agencies, with promises of high-paying jobs abroad as laborers, dancers, nurses, waitress, or au pairs.

Thousands of men and women in Russia are victims of trafficking. Germany, Greece, Portugal, the United States, Israel, China, Japan, and Thailand are usually the destination countries for these unsuspecting individuals where they will begin their new jobs as prostitutes, domestic workers, agricultural workers, or construction workers. Not only is Russia a source of trafficking in persons, it is also a destination country for women trafficked from the neighboring poverty stricken countries of Ukraine, Belarus, and Moldova.<sup>10</sup>

**Indonesia**

Poverty, high unemployment and lack of formal education are driving increasing numbers of Indonesian women to migrate abroad into informal employment sectors such as domestic work, and often into the hands of traffickers. Immigration and labor restrictions force people to depend on third parties to help them find work abroad. Traditional constraints on women traveling on their own or looking for work abroad, make them more dependent on third parties and so more vulnerable to being exploited.<sup>11</sup>

Said third parties are in the form of recruitment agencies. These private organizations are the only legal means of acquiring domestic work abroad. Potential candidates go to training camps for several months, or up to a year, where they are not permitted to leave. They are forced to sign contracts and are often made to perform domestic functions for the agency in the camps.

Some women are victims of physical and sexual abuse in the training camps and receive inadequate amounts of food, water, and medical care. Since there are no fundamental

guidelines, regulation, or inspection by the government, these abuses are considered a part of trafficking.

Indonesian women are usually trafficked into Hong Kong, Taiwan, Malaysia, or one of the Gulf states. Once a woman reaches her employment destination she is liable for the recruitment agency fees. Such fees are typically exorbitant by nature, approximately 2,500 dollars in U.S. currency; therefore the woman receives no payment for approximately five to seven months.

Regardless of any mistreatment received, the woman is bound by her contract and agency fees and is compelled to remain in her unsatisfactory working conditions. In compliance with governmental requirements, contract renewals must physically take place in Indonesia; therefore, domestic migrant workers are required to return and are liable for additional agency fees.<sup>12</sup>

### **West Africa**

The countries in West Africa affected by human trafficking include Mali, Côte d'Ivoire, Benin, Gabon, Ghana, Togo, Nigeria, Niger, and Burkina Faso. Child trafficking is the prominent form of human trade in West Africa. Parents of families living in poverty are susceptible to the supposed financial benefits derived from sending their children to work. They are deceived into believing that traffickers will find profitable jobs for their children and will defend said traffickers when they are arrested at the border.

Some children desiring a decent city job seek out recruiters and voluntarily opt to work in other countries. Many of them are sold as cheap labor to cotton plantation owners. Children sometimes work for years without receiving earned monies due to transportation and maintenance fees. Despite this and the deplorable working conditions often hazardous to their lives, health, and welfare, trafficked children's parents are not unhappy to have one less mouth to feed.<sup>13</sup>

### **REASONS FOR HUMAN TRAFFICKING**

There are various causes of the modern-day slavery of human trade. Some of the reasons for trafficking in persons include: poverty, lack of economic opportunities and a desire for a better life; lack of information regarding the realities and dangers; disruption of societal values; political instability and declining economies; high demand for cheap labor; low risks; and large tax-free profits.

**Poverty, lack of economic opportunities, desire for a better life**

Most people are eager to escape a life consumed with poverty or perhaps aspire to enrich an already comfortable one. High levels of unemployment and promises of high salaries in foreign countries allow men, women, and children to fall victim to human trafficking. Traffickers prey on the natural human desire to rise above poverty and despair and to seek a better life.

**Lack of information regarding the realities and dangers**

People are usually ignorant of the dangers and consequences of human trafficking. They envision wealth and higher standards of living, which motivate them to seek work abroad or in urban areas. Victims of horrific experiences in trafficking are often ashamed and afraid and fail to share these experiences.

**Disruption of societal values**

Gender based discrimination and inequality leads to high levels of female trafficking. Corruption and a desperate need for prosperity often compel individuals to attain wealth by any means necessary.

**Political instability and declining economies**

Countries experiencing war, crises, conflict, political unrest, economic instabilities, and natural disasters are prime targets for traffickers. Men, women, and children are exploited and abused.

**High demand for cheap labor**

The economical imbalances between the supply of labor and legitimate work create a high demand for migrating workers who can fill low-paying and unskilled jobs.

**Low risks**

Laws pertaining to human trafficking are seldom enforced in many countries. Violators who are prosecuted often receive inadequate punishment for their crime. The transportation of humans across borders is easier to accomplish than the transportation of drugs and weapons.

**Large tax-free profits**

Human trafficking is a highly profitable business. It is estimated that human trade generates 7 to 10 billion dollars annually. As opposed to drugs and weapons, human cargo can be re-trafficked if caught at the border. Traffickers often resell victims who have worked and repaid their debt to other employers.<sup>14</sup>

## STATISTICS OF HUMAN TRAFFICKING

As stated in the CRS Report for Congress victims of trafficking are increasing. Because of the covert nature of human trafficking operations, much of the statistical information is imprecise and unreliable. Applying conservative estimates, it is reported that human trafficking involves—

more than 700,000 victims per year. The largest number of victims trafficked internationally still come from Asia, with over 225,000 victims each year believed to be coming from Southeast Asia and over 150,000 from South Asia. The former Soviet Union is now believed to be the largest new source of trafficking for prostitution and the sex industry, with over 100,000 trafficked each year from that region. An additional 75,000 or more are trafficked from Eastern Europe. Over 100,000 come from Latin America and the Caribbean, and over 50,000 victims are from Africa.<sup>15</sup>

As indicated earlier, the human trafficking industry reaps large tax-free profits. The United Nations estimates that revenues generated by trafficking in human cargo totals “7 to 10 billion dollars annually for traffickers. Human trafficking ranks third among the sources of organized crime profits (preceded by drugs and guns).”<sup>16</sup>

## EFFECTS OF HUMAN TRAFFICKING

What are some of the effects of human trafficking? The impact of trafficking in persons can be divided into two categories: individual effects and global effects.

### INDIVIDUAL EFFECTS

Human trafficking threatens human dignity by depriving people of their human rights and their freedom. Trafficked victims endure physical abuse, emotional abuse, rape, threats of harm against themselves and their families. Some victims do not survive the indignities of human trade and die in transit or at their destinations. Many attempt to escape or refuse to submit to the modern-day form of slavery and are killed.

### GLOBAL EFFECTS

Human trafficking is a global health risk. The number of orphans is increasing as a result of armed conflicts and HIV/AIDS. Trafficked children are unlikely to receive immunizations to help eliminate childhood diseases. Men, women, and children are tortured, raped, exposed to HIV/AIDS and other diseases. They thus become carriers of disease as they pass through or around weak immigration control points.

Many endure inhumane and dangerous work environments, malnutrition, and slide into drug and alcohol addiction. Victims often experience psychological trauma and depression, which foster a life of crime.<sup>17</sup>

Organized crime is sustained by funds generated by trafficking in persons. Human trafficking leads to drug trafficking and the financing of terrorist activities. The networks used by traffickers are also used by terrorist organizations to transport their operatives.

Funds are used to bribe officials and aid in the cooperation of international crime organizations. Without corrupt law enforcement the human trade would be nonexistent. Trafficking enterprises undermine governmental authority, public safety, and the security of the country.<sup>18</sup>

## **THE FIGHT AGAINST HUMAN TRAFFICKING**

What is being done to combat human trade? Trafficking in persons can be fought on three levels: domestic, foreign, and private. The domestic level consists of governmental laws and policies enacted by the United States on behalf of the global community to end human trafficking in America. Foreign efforts to combat human trafficking in other nations are made by the United States and other countries; anti-trafficking efforts are also implemented by various non-governmental organizations (NGOs) within the private sector.

### **DOMESTIC ANTI-TRAFFICKING EFFORTS**

The United States is committed to abolishing human trafficking in our nation and has displayed this commitment with the following actions:

- Congress passed legislation so Americans who sexually prey on children abroad can be prosecuted and sentenced to as many as 30 years in prison.
- The Department of Justice has focused on increasing the number of trafficking victims rescued and the number of prosecutions and convictions of traffickers.
- The Department of Health and Human Services (HHS) is certifying trafficking victims so they may qualify for the same assistance available to refugees. HHS is also running a major public awareness campaign to alert victims in the United States that help is available through the hotline number 888.3737.888.
- The Department of Defense has implemented a zero-tolerance stand against any actions by Defense personnel that contribute to human trafficking and is instituting a service-wide mandatory training program.
- The Department of Labor and Homeland Security, United States Agency International Development, and other governmental agencies are executing action plans to combat human trafficking.<sup>19</sup>

The State Department joined the War Against Trafficking Alliance in February 2003 to host a conference titled “Pathbreaking Strategies in the Global Fight Against Sex Trafficking”. This conference included government officials from 110 countries and approximately 400 activists sharing creative strategies to preventing trafficking, prosecuting traffickers, and protecting victims.<sup>20</sup>

Human trafficking became a priority during the Clinton Administration. President Clinton issued a directive on March 11, 1998 that set forth a U.S. anti-trafficking strategy to prevent human trafficking, protect and support victims of trafficking, and prosecute human trafficking violators.

For the prevention of human trafficking, programs need to be designed to improve the economic and social opportunities of individuals who are most vulnerable to trafficking. Methods should be devised to increase human trafficking research funding and individual awareness of the dangers, realities, and consequences of human trade.

The Clinton Administration fought to protect and support victims through policies and legislation that would provide shelter and support to victims residing here illegally. Support was petitioned for the aid and protection of victims during the prosecution of violators and the victim's reintegration into their society.

The Department of Justice (DOJ) demanded that prosecutors be authorized to target people who profit from human trafficking as well as those directly involved in the trafficking. The Clinton Administration also pushed for laws to increase the punishment of violators to sufficiently reflect the severity of the crime. A Workers' Exploitation Task Force was created to investigate and prosecute individuals charged with trafficking and exploitation.<sup>21</sup>

On October 28, 2000, President Clinton signed into law the *Trafficking Victims Protection Act of 2000*. It was the first federal law to target human trafficking. This legislation is designed to protect victims of trafficking. Under this law, convicted traffickers can receive up to life in prison as the penalty for dealing in human trade.

The *Trafficking Victims Protection Act of 2000* also provides for trafficked victims to receive medical care, counseling, shelter, funding, and support when needed. Victims have the means and support required to remain in the country to participate in the prosecution of traffickers. A special “T Visa” is authorized for trafficked victims in the United States who cooperate with law enforcement.

Under the statute, victims who cooperate with law enforcement against their traffickers and would be likely to suffer severe harm if returned to their home countries may be granted permission to stay in the United States. After three

years in T status, the victims are eligible to apply for permanent residency and for non-immigrant status for their spouses and children.<sup>22</sup>

The *Trafficking Victims Protection Act of 2000* dictates that a *Trafficking in Persons Report* is to be issued annually. This report, prepared by the State Department Office to Monitor and Combat Trafficking in Persons, is designed to annually address the complexities of human trade.<sup>23</sup>

The *Trafficking Victims Protection Act of 2000* also provides for the creation of an interagency body to address the global crime implications of trafficking. This Interagency Task Force to Monitor and Combat Trafficking in Persons was instituted during the Bush Administration. The State Department Office to Monitor and Combat Trafficking in Persons assists this interagency body in executing the *Trafficking Victims Protection Act of 2000* and Task Force proposals.<sup>24</sup>

Following in the footsteps of the Clinton Administration, the Bush Administration is responsible for additional domestic anti-human trafficking efforts. Law enforcement agencies have pledged to work together to improve the anti-trafficking efforts.

Under Bush's Administration, the *Trafficking Victims Protection Act of 2000* was amended through the *Trafficking Victims Protection Reauthorization Act of 2003 (TVPRA)*. This new legislation is designed to sufficiently empower the government to combat human trafficking effectively.

Among other things, the TVPRA strengthens the tools U.S. law enforcement authorities use to prosecute traffickers and enhances assistance to victims of trafficking. It also requires the Department of State to scrutinize more closely the efforts of governments to prosecute traffickers as well as evaluate whether our international partners have achieved appreciable progress over the past year in eliminating trafficking in persons.<sup>25</sup>

The *Trafficking Victims Protection Act of 2000* defines four minimum standards a country is rated on in the *Trafficking in Persons Report* regarding its governmental efforts to combat trafficking in persons. Governments should:

1. Prohibit trafficking and punish acts of trafficking;
2. Prescribe punishment commensurate with that for grave crimes, such as forcible sexual assault, for the knowing commission of trafficking in some of its most reprehensible forms (trafficking for sexual purposes, trafficking involving rape or kidnapping, or trafficking that causes a death);
3. Prescribe punishment that is sufficiently stringent to deter, and that adequately reflects the offense's heinous nature; and
4. Make serious and sustained efforts to eliminate trafficking.<sup>26</sup>

The fourth standard requires that seven criteria be met for a country to qualify as making serious and sustained efforts to eliminate trafficking:

1. Whether the government vigorously investigates and prosecutes acts of trafficking within its territory.
2. Whether the government protects victims of trafficking, encourages victims' assistance in investigation and prosecution provides victims with legal alternatives to their removal to countries where they would face retribution or hardship, and ensures that victims are not inappropriately penalized solely for unlawful acts as a direct result of being trafficked.
3. Whether the government has adopted measures, such as public education, to prevent trafficking.
4. Whether the government cooperates with other governments in investigating and prosecuting trafficking.
5. Whether the government extradites persons charged with trafficking as it does with other serious crimes.
6. Whether the government monitors immigration and emigration patterns for evidence of trafficking, and whether law enforcement agencies respond appropriately to such evidence.
7. Whether the government vigorously investigates and prosecutes public officials who participate in or facilitate trafficking, and takes all appropriate measures against officials who condone trafficking.<sup>27</sup>

The TVPRA amends criterion number 1, which "now requires consideration not only of investigations and prosecutions, but also of convictions and sentences, and whether the government of the country is responsive to the State Department's requests for law enforcement data."<sup>28</sup>

Additionally, in regards to anti-corruption measures criteria, number 7 "now also requires consideration of prosecutions, convictions, and sentences of government officials complicit in trafficking in persons, and the host government's provision or failure to provide such data."<sup>29</sup>

The TVPRA adds three criteria to the existing seven regarding serious and sustained efforts:

8. Whether the percentage of victims of severe forms of trafficking in the country that are non-citizens of such countries is insignificant;
9. Whether the government of the country, consistent with the capacity of such government, systematically monitors its efforts to satisfy the criteria described in paragraphs (1) through (8) and makes available publicly a periodic assessment of such efforts; and,



10. Whether the government of the country achieves appreciable progress in eliminating severe forms of trafficking when compared to the assessment in the previous year.<sup>30</sup>

The TVPRA also calls for a “Watch List” of countries needing individual close examination of compliance. These countries will be reappraised in an interim assessment and presented to Congress.<sup>31</sup>

Other agencies or groups sharing in the fight against human trafficking include:

- The Department of Labor’s Employment and Training Administration;
- The Immigration and Naturalization Service; and
- The United States Agency for International Development.<sup>32</sup>

#### FOREIGN ANTI-TRAFFICKING EFFORTS

The United States also partners with foreign countries to fight human trafficking. Foreign law enforcement agencies and immigration officials are educated by the Department of State and the Department of Justice. They are trained to recognize and stop traffickers and victims at the border more effectively.

The U.S. embassies and consulates strive together with other countries in the common goal to stop the international trafficking of women and children. Various programs and activities are employed to improve public awareness and educate potential victims on the dangers, realities, and consequences of human trafficking.<sup>33</sup>

The United States works with the European Union (EU), “the Group of Eight, the United Nations, the Organization for Security and Cooperation in Europe (OSCE), and the governments of Israel, Italy, Finland, Ukraine, and other countries to combat trafficking in women and children.”<sup>34</sup> In November 1997, the U.S. and E.U. instituted a jointly funded effort to combat trafficking of women from Russia and Eastern Europe. This partnership was designed to warn potential victims and increase the awareness of law enforcement, customs and consular officials.

The United Nations (UN) General Assembly ratified the *Convention on Transnational Crime*, which was supplemented with *Protocols to Prevent, Suppress, and Punish Trafficking in Persons*, thus allowing countries to “work together more closely against criminals engaged in cross-border crimes.”<sup>35</sup> The UN Office on Drugs and Crime established the Global Programme Against Trafficking in Human Beings (GPAT) in conjunction with the UN Interregional Crime and Justice Research Institute. GPAT’s primary focus is spotlighting organized criminal groups involved in human trade and aiding Member States in the “development of effective criminal justice-related responses.”<sup>36</sup>

Other international agreements ratified by the United States include: (1) “the International Labor Organization Convention 182 pertaining to the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor” and (2) the “Protocol to the Convention on the Rights of the Child on Sale of Children, Child Prostitution and Child Pornography”. As indicated these agreements specifically address trafficking in children.

The United States has instituted other bilateral programs of cooperation in Albania, Bosnia, Bulgaria, Hungary, the Philippines, Russia, other former Soviet Republics, and Thailand.<sup>37</sup>

Many foreign governments including Afghanistan, Iran, Mauritania, Benin, Brazil, Mozambique, Africa, Tanzania, Sierra Leone, Morocco, Thailand, and South Korean have implemented laws, activities, initiatives, and/or programs to combat trafficking in persons.<sup>38</sup>

#### PRIVATE ANTI-TRAFFICKING EFFORTS

The United States recognizes, encourages, and supports the anti-trafficking efforts of private organizations known as non-governmental organizations (NGOs). One such organization is Anti-Slavery International (ASI) and is the world’s oldest international human rights organization. ASI dates back to 1787 when the first abolitionist society was started. ASI participated heavily in the movement to abolish slavery. ASI currently focuses on movements against forced and bonded labor, child labor and human trafficking.<sup>39</sup>

*Vital Voices* is a publication that issues trafficking alerts. The June 2004 U.S. edition includes “an article on trafficking and HIV/AIDS, the latest Congressional briefing on the Trafficking Victims Protection Act 2000 and awareness raising materials.”<sup>40</sup>

The Protection Project is a non-governmental organization located at the John Hopkins University School of Advanced International Studies. The project is currently offering a three-month Fellowship Program from January to March 2005. It will present the selected candidate with extensive academic and professional experience in the field of human rights.<sup>41</sup>

The International Organization for Migration’s (IOM’s) anti-trafficking efforts focus on protecting migrant workers’ rights and preventing human trafficking. Activities include “carrying out information campaigns, providing counseling services, conducting research on migrant trafficking, providing safe and dignified return and reintegration assistance to victims of trafficking, and helping governments to improve their legal systems and technical capacities to counter trafficking.”<sup>42</sup>

## **CASE STUDIES OF HUMAN TRAFFICKING VICTIMS**

Who are the people directly affected by human trade? The Appendix includes several case studies of specific children, women, and men who have been trafficked. Without experiencing first-hand knowledge of being trafficked, no one can know the impact. However, these examples may provide a small idea of the effects. So as not to minimize the impact, sources are cited directly and include name changes to protect the identity of each child, female adult, and male adult victim.

## **ENFORCEMENT OF HUMAN ANTI-TRAFFICKING LAWS**

Are the laws and policies designed to combat trafficking in persons successful? Based on the *Trafficking in Persons Report* released June 11, 2003, the DOJ prosecuted 79 human trafficking cases in 2001 and 2002. This number increased threefold from the cases prosecuted in 1999 and 2000. In 2001 and 2002, the DOJ initiated 127 investigations into human trafficking. In 2003 the DOJ prosecuted eleven more cases of human trafficking.<sup>43</sup>

## **PROSECUTION OF OFFENDERS**

The courts have seen successful prosecution of many human trafficking cases. In 1999, two unrelated cases were prosecuted resulting in 10 convictions for the use of slavery. In one case Guatemalan and Mexican farm workers were forced into labor in South Florida. The other case involved Mexican women and girls who were forced to work in brothels in Florida and the Carolinas.<sup>44</sup>

Under the *Trafficking Victims Protection Act of 2000*, violators are required to pay full restitution to victims and forfeit certain assets. In Berkeley, California, a landlord was forced to pay \$2 million for girls trafficked from India for the purpose of sexual exploitation and cheap labor.<sup>45</sup>

In the largest case of human trafficking for prostitution in the UK, an Albanian trafficker was sentenced to ten years in prison. The trafficker was charged with and found guilty of kidnapping, procuring a teenager to have unlawful sex, rape, living on the proceeds of prostitution and facilitating illegal entry. The law against trafficking for prostitution did not take effect until after charges were filed, therefore the trafficker could not be prosecuted for trafficking for prostitution.<sup>46</sup>

## **EFFECTIVENESS OF POLICIES AND LAWS**

As indicated by the prosecution and convictions of traffickers, many policies and laws have proven effective. Policies and laws designed to combat human trafficking will always have

room for improvement due to the nature, complexity, scope, and magnitude of trafficking in persons.

## **RECOMMENDATIONS REGARDING HUMAN TRAFFICKING**

What should be done about human trafficking? Existing domestic and foreign measures by governments, agencies, non-governmental organizations, and communities demand continual review, reassessment, and revision of laws, policies, procedures, activities, and strategies to ensure that they are creative and effective in fighting human trafficking.

A key factor in the survival of human trade relates to supply (victims) and demand (abusive employers or sexual exploiters). The supply is driven by some of the conditions noted earlier in the "Reasons for Human Trafficking" section including poverty, lack of economic opportunities, desire for a better life, discrimination against women, economical instabilities, and armed conflict. Sources of demand include the sex industry, an increasing interest in exploitable labor, and global interests in cheap, illegal, and vulnerable labor.<sup>47</sup>

Partnerships among all countries are crucial in succeeding in the fight against human trafficking. Efforts to combat this modern-day slave trade must include determining and addressing the underlying conditions that drive supply and demand. There are multiple causes of human trafficking. Until these causes are addressed at the local, regional, state, national, and international levels, human trafficking will not be eradicated and our *National Security Strategy* will continually be threatened.

Trafficking in persons is a threat to the security strategy of all nations. It is an expanding form of organized crime from which the huge profits are used to help fuel drug trafficking and other illicit activities. "Human trafficking in some regions of the world links with the funding of terrorism in the intermingled world of the illicit economy."<sup>48</sup>

WORD COUNT=4966

## APPENDIX

### CHILD VICTIMS

#### **Adriana**

When Adriana was 15 her father forced her to marry Driton. After the wedding, they went to Greece. While staying with Driton's friends, she overheard them talking about work she was expected to do; she realized it was prostitution. That night she challenged Driton, when she refused, he threatened and beat her until she gave in. They flew to Paris using false documents. Driton forced her to work as a prostitute and beat her regularly. Adriana called her parents and, too ashamed to tell the truth, she told them she was unemployed and couldn't send money. Her father told her not to bother lying, he knew what she was doing as he had arranged it. Adriana later discovered he sold her for two million leke (US\$16,600). Adriana escaped, but was caught by police and returned to Albania. She is now in The Hearth's shelter and works in a textile factory, but she does not earn enough to live independently.<sup>49</sup>

#### **Child soldier**

The testimony of a boy who was abducted when he was 11 years old tells of the dangers of escape: The soldiers took me from school...They took me to the bush and made me carry rifles and other things - really heavy loads! Many boys died of hunger and thirst. Then they taught me how to shoot. One day, a boy tried to escape but they caught him. They ordered us to stand around him in a circle and beat him. If we did not beat him, they would beat us. They would kill us. So we beat him. Again and again until he died.<sup>50</sup>

#### **Shirin**

In the case of Shirin (not her real name), now 25, she was first trafficked when she was about 10 years old. She was married to a 30-year-old Indian man who did not demand a dowry. He took her to India and forced her into prostitution. When she refused she was beaten. She managed to escape and found her way home. When she was 14, she was married again. Her husband turned out to be a trafficker. She was taken to India and forced to work in a cigarette factory. She lived in his house and her mother-in-law, who ran a brothel, forced her to be a prostitute. After six months she escaped and managed to return home. She now lives with her parents who are too poor to support her and she is seen as a burden. Because of her having been a prostitute she is seen as having shamed her family. The Association for Community Development is giving her training and a loan to enable her to start a small business and protect her from further trafficking.<sup>51</sup>

### FEMALE ADULT VICTIMS

#### **Alice**

Alice was 25 when she left her job in Manila, the Philippines. She is a qualified civil engineer, yet her salary was not enough to pay for her four brothers and sisters to go through school. When she saw an advertisement offering well-paid posts as civil engineers in Kuwait, she contacted the recruitment agency immediately. She had to pay half the agency's fees up front, agreeing to repay the rest on taking up her position. But when she arrived in Kuwait she was told

to sign a contract to work as a domestic servant. The agency refused to allow her to return to the Philippines, insisting that she take up the post and pay them the money she owed. For two and a half years she worked as a domestic servant for a family. She never had a day off, and regularly worked 20-hour days. 'I was treated as a slave, says Alice 'In the presence of my employers I had to remove my shoes. If they passed me I had to bow. I could never be seated in their presence. They did not use my name, only bad words like 'You, Dog', or 'Donkey', or, if I was close and they wanted something, they just tugged my hair and pointed.<sup>52</sup>

#### **Ellen**

When Ellen was 17 she was abducted by a group of men in Albania and taken to a flat where she was held for two months. During this time she was beaten and raped. Then a man came and made arrangements for them both to go abroad. At the time Ellen thought she had been rescued, but her new "boyfriend" was another trafficker who took her to the UK where he forced her into prostitution. She had to see between 15 and 40 customers a day and give the money to her trafficker. When she tried to refuse, she was beaten. After about a year she was picked up in a police raid. She did not say anything to the police because her trafficker had told her not to and she was worried about getting her family into trouble. She was held at Heathrow Airport for two days, while immigration officers arranged to have her sent back to Albania. No arrangements were made for her to be seen by an NGO in the UK or after she arrived back in Albania. Ellen went back to live with her family, but received threatening phone calls in the early hours of the morning. Her family wanted her to go to the police, but Ellen did not trust the police in Albania. Concerned for herself and the safety of her family she decided to let the traffickers take her back to the UK. A few months after she was trafficked to the UK for the second time, she managed to escape from her trafficker. She made an application to stay in the UK, but this has been rejected by the Home Office.<sup>53</sup>

#### **MALE ADULT VICTIMS**

##### **Sergey**

Sergey is 27 years old and from Perm in Russia. In 2001 he saw an advert [isement] in a local newspaper for a job agency recruiting construction workers to work in Spain. The salary offered was US\$1,200 per month. This was much more than his monthly salary of just \$200 and more than he could ever hope to earn in Perm. He applied to the agency that booked his plane ticket to Madrid on the condition that he would pay back the money when he started work. On arrival in Spain, Sergey was picked up by a person from the "agency" who took his passport. He was taken to Portugal and forced to work on a construction site without pay for several months. The site was surrounded by barbed wire. Without his passport he was afraid that the Portuguese authorities would arrest him. One day Sergey managed to escape and begged his way to Germany. Because he did not have a passport the German authorities arrested him. He stated the police beat him and took away what little money he had before deporting him to Russia. Now back home, Sergey is very traumatized by his experience. He suffered psychological problems and for several months was unable to work. He

received no counseling or support to help him overcome his ordeal. Meanwhile his traffickers remain unpunished.<sup>54</sup>

### **Ricardo**

For Ricardo, it all started about four years ago, when he was offered the chance to take up well-paid work in the United States. An agent offered to organize his travel and employment and took a payment to cover costs. He escorted Ricardo and a group of others to the Sonoran Desert, and then deserted them, leaving them with nothing except food and water supplies for three days. The group spent eight days lost in the desert. When another agent appeared, they had no choice but to accept his offer of help, but they would have to pay. They made it out of the desert alive, but this was not the end of their ordeal. When the agent discovered they didn't have the money to pay him, he handed them over to a man who was taking workers to Florida. The journey took over a week, with 16 of them packed in the back of a van. They had nothing to eat, and had to urinate into a bottle. Once in Florida, they were sold to a labor contractor for US\$1,100 each. The contractor explained that they would have to work to pay back the money they now owed him. Every day he took them to work on tomato farms. The work was backbreaking; a normal day lasted from 5.00am until 7.00pm. I was practically dying says Ricardo, we didn't eat very well, and the water was polluted that we were drinking. On pay day, Ricardo was given a cheque for \$80, but immediately the contractor charged him \$40 towards his debt, \$30 for rent, electricity, water and food, and he was left with only \$10. This system of payment continued, with the workers' debts increasing, it seemed the contractor would never let them leave. One of his co-workers tried to escape, but was caught. The contractor beat him and threatened to kill him if he attempted another escape. This is when I realized that it was really slavery. Ricardo remembers. The next day I was sick from ... bad food and I was weak and I couldn't work. But that wasn't enough. They made me work, I had no choice. I went because I was afraid. Ricardo and five of his co-workers managed to escape during a supervised trip to buy food. They made their way to a town, where they met a Mexican woman who offered to help them. Her father arranged for them to work on an orange farm, and for the first time since arriving in the US, they received wages. But after two weeks, the contractor learnt of their whereabouts, and visited them, claiming each of them owed him \$5,000. Ricardo called the police, but they did nothing and the man walked free. It was only with the support of a local organization, the Coalition of Immokalee Workers, that they were able to stop the contractor enslaving other workers. The organization contacted immigration agents, who set up an undercover operation. This confirmed that workers were being enslaved on tomato farms. But once the workers were set free, most of them were not recognized as victims of trafficking, but instead treated as illegal migrants and forced to leave the country immediately. It was through the support of the Coalition that Ricardo managed to stay, but even today he lives in fear of reprisals from the traffickers he exposed. Ricardo still receives anonymous threats by phone, and on one occasion, was threatened by a man with a gun. But the police are doing nothing to protect him, despite his willingness to help them in their investigations. They have not even taken the most basic precaution of providing Ricardo with a mobile phone or panic alarm.<sup>55</sup>





## ENDNOTES

<sup>1</sup> George W. Bush, *The National Security Strategy of the United States* (Washington, D.C.: The White House, September 2002), 6.

<sup>2</sup> *Ibid.*, 3, 5.

<sup>3</sup> *The Oxford American College Dictionary* (New York: G.P. Putnam's Sons. 2002), 1478.

<sup>4</sup> Francis T. Miko and Grace (Jea-Hyun) Park, *CRS Report for Congress: Trafficking in Women and Children: The U.S. and International Response* (Washington, D.C.: Library of Congress, Congressional Research Service, updated 18 March 2002), 1; available from <<http://fpc.state.gov/documents/organization/9107.pdf>>; Internet; accessed 12 November 2004.

<sup>5</sup> *Trafficking in Persons Report*, released by the Office to Monitor and Combat Trafficking in Persons, 11 June 2003. available from <<http://www.state.gov/g/tip/rls/tiprpt/2003>>. Internet; accessed 9 August 2004.

<sup>6</sup> Miko, 8.

<sup>7</sup> *Ibid.*

<sup>8</sup> Anti-Slavery – Human Trafficking Around the World and in Bangladesh. available from <<http://www.antislavery.org/homepage/antislavery/award/traffickinginbangladesh.htm>>; Internet; accessed 12 November 2004.

<sup>9</sup> Anti-Slavery –Trafficking in Albania. available from <<http://www.antislavery.org/homepage/antislavery/award/albaniabackground2003.htm>>; Internet; accessed 12 November 2004.

<sup>10</sup> Anti-Slavery –Trafficking in Russia. available from <<http://www.antislavery.org/homepage/antislavery/traffickingrussia.htm>>; Internet; accessed 12 November 2004.

<sup>11</sup> Anti-Slavery –Trafficking in Indonesia. available from <<http://www.antislavery.org/homepage/antislavery/traffickingindonesia.htm>>; Internet; accessed 12 November 2004.

<sup>12</sup> *Ibid.*

<sup>13</sup> Anti-Slavery – Trafficking of Children in West Africa. available from <<http://www.antislavery.org/archive/other/trafficking-children-wafrica.htm>>; Internet; accessed 12 November 2004.

<sup>14</sup> *Trafficking in Persons Report*.

<sup>15</sup> Miko, 2.

<sup>16</sup> *Trafficking in Persons Report*.

<sup>17</sup> *Ibid.*

<sup>18</sup> Louise Shelly, *Human Trafficking: Transnational Crime and Links with Terrorism: Statement to the House Committee on International Relations Subcommittee on International Terrorism, Nonproliferation and Human Rights*, 25 June 2003. available from

<[http://usinfo.state.gov/cap/Archive\\_Index/Human\\_Trafficking\\_Transnational\\_Crime\\_and\\_Links\\_with\\_Terrorism](http://usinfo.state.gov/cap/Archive_Index/Human_Trafficking_Transnational_Crime_and_Links_with_Terrorism)>; Internet; accessed 18 October 2004.

<sup>19</sup> U.S. Department of State, "Facts About Human Trafficking", (Washington, D.C.; Bureau of Public Affairs, 24 May 2004);. available from <<http://state.gov/r/pa/ei/rls>>; Internet; accessed 6 August 2004.

<sup>20</sup> *Trafficking in Persons Report*.

<sup>21</sup> Miko, 8, 12.

<sup>22</sup> Ibid.

<sup>23</sup> U.S. Department of State.

<sup>24</sup> Miko, 12.

<sup>25</sup> *Trafficking in Persons Report*, letter. from Secretary Colin L. Powell. released 14 June 2004; available from <<http://www.state.gov/g/tip/rls/tiprpt/2004>>; Internet; accessed 9 August 2004.

<sup>26</sup> Miko, 10.

<sup>27</sup> *Trafficking in Persons Report*.

<sup>28</sup> *Trafficking in Persons Report*, released by the Office to Monitor and Combat Trafficking in Persons, 14 June 2004. available from; <<http://www.state.gov/g/tip/rls/tiprpt/2004>>; Internet; accessed 17 January 2005.

<sup>29</sup> Ibid.

<sup>30</sup> Ibid.

<sup>31</sup> Ibid.

<sup>32</sup> George W. Bush, *Trafficking In Persons National Security Presidential Directive*. (Washington, D.C.: The White House), available from <<http://www.whitehouse.gov/news/releases/2003/02/20030025>>; Internet; accessed 6 August 2004.

<sup>33</sup> Miko, 13.

<sup>34</sup> Ibid.

<sup>35</sup> Ibid.

<sup>36</sup> UN Global Programme Against; Trafficking in Human Beings. available from <[http://www.unodc.org/unodc/trafficking\\_human\\_beings](http://www.unodc.org/unodc/trafficking_human_beings)>; Internet; accessed 17 January 2005 .

<sup>37</sup> Miko, 13.

<sup>38</sup> *Trafficking in Persons Report*. 11 June 2003.

<sup>39</sup> Anti-Slavery – The History of Anti-Slavery International; available from <<http://www.antislavery.org/homepage/antislavery/history.htm>>; Internet; accessed 12 November 2004.

<sup>40</sup> Anti-Slavery – Trafficking News Monthly, July 2004. available from <<http://www.antislavery.org/homepage/traffic%20news/july2004.htm>>; Internet; accessed 12 November 2004.

<sup>41</sup> Protection Project, “Publications and Fellowship”; available from <<http://www.protectionproject.org/mainl.htm>>; Internet; accessed 12 November 2004.

<sup>42</sup> International Organization for Migration, “Counter-Trafficking”, available from <[http://www.iom.int/en/what/counter\\_human\\_trafficking.shtml](http://www.iom.int/en/what/counter_human_trafficking.shtml)>; Internet; accessed 12 November 2004.

<sup>43</sup> *Trafficking in Persons Report*, 11 June 2003.

<sup>44</sup> Anti-Slavery – News ; Slavery Case In Florida Results in Convictions; available from <<http://www.antislavery.org/homepage/news/florida300801.htm>>; Internet; accessed 12 November 2004.

<sup>45</sup> Anti-Slavery – News ; Trafficking Arrests Made in First Use of US Law; available from <<http://www.antislavery.org/homepage/news/trafficking280302.htm>>; Internet; accessed 12 November 2004.

<sup>46</sup> Anti-Slavery – News ; UK Government Renews Protection for Trafficked Women as Trafficker Sentenced; available from <<http://www.antislavery.org/homepage/news/UKtrafficking231203.htm>>; Internet; accessed 12 November 2004.

<sup>47</sup> *Trafficking in Persons Report*, 14 June 2004.

<sup>48</sup> Shelly.

<sup>49</sup> Anti-Slavery – Trafficking in Albania.

<sup>50</sup> Anti-Slavery – Child Soldiers Around the World; available from <<http://www.antislavery.org/homepage/antislavery/award/uganda.htm>>; Internet; accessed 12 November 2004.

<sup>51</sup> Anti-Slavery – Trafficking in Bangladesh.

<sup>52</sup> Case Studies: Alice; Domestic Worker – Philippines to Kuwait; available from <<http://www.stophumantraffic.org/alice.html>>; Internet; accessed 12 November 2004.

<sup>53</sup> Anti-Slavery – Trafficking in the UK; available from <<http://www.antislavery.org/homepage/antislavery/traffickinguk.htm>>; Internet; accessed 12 November 2004.

<sup>54</sup> Anti-Slavery – Trafficking in Russia.

<sup>55</sup> Case Studies: Ricardo ; Agricultural Worker – Mexico to USA; available from <<http://www.stophumantraffic.org/ricardo.html>>; Internet; accessed 12 November 2004.



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